

**REMARKS**

Reconsideration of the present application, as amended, is respectfully requested. Claims 1-29 have been canceled. Claims 30-50 have been added. Therefore, claims 30-50 are pending in the present application.

Claims 1-29 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,326,965 to Castelli et al. ("Castelli"). Claims 1-29 have been canceled, thereby rendering the rejection of these claims moot.

New independent claims 30 and 45 recite, in part, the features of "identifying a subpicture in a lowest one of the plurality of levels in which the received element may be placed." Col. 6, lines 18-22 of Castelli refer to generating a view of an image. A view request specifies a region of interest from the image in terms of spatial dimensions and resolution. For example, a user may request an image at a first resolution and zoom in on a particular area, triggering a view request. See col. 10, lines 25-35 of Castelli. Castelli does not appear to teach or suggest identifying a subpicture in a lowest one of the plurality of levels in which the received element may be placed. Instead, Castelli teaches a view request for retrieving specific view elements.

In addition, new independent claims 30 and 45 recite, in part, "placing the received element in the identified subpicture." As Castelli does not teach identifying a subpicture...in which the received element may be placed (as noted above), Castelli necessarily does not teach placing the received element in the identified subpicture.

Furthermore, new independent claims 30 and 45 recite, in part, "determining if a number of elements in the identified subpicture exceeds the predetermined maximum." Col. 6, lines 2-12 of Castelli refer to selecting view elements for storage. The view elements may be selected based on optimizing compression performance, minimizing an additive information cost function, optimizing view extraction speed, minimizing storage space, etc. Nowhere does Castelli teach a predetermined maximum of elements in a subpicture or a procedure for determining if the predetermined maximum has been exceeded.

Claims 30 and 45 also recite, in part, “identifying a number of overlapping subpictures, in a higher one of the plurality of levels, in to which the received element may be placed.” Col. 6, lines 12-37, as noted above, relate to retrieving view elements in conjunction with a view request. Col. 5, lines 50-55 teach synthesizing view elements. Neither of the cited passages teach or suggest overlapping subpictures in a higher level. Nowhere does Castelli teach identifying a number of overlapping subpictures in a higher level, or placing the received element into one or more of the overlapping subpictures. It is stated that the above recited step is analogous to “the next transition element comprising frequency synthesis.” This is not mentioned or taught in the cited passage of Castelli. As such, Applicants respectfully submit that claims 30, 45, and those claims dependent therefrom are not taught by Castelli.

New independent claim 38 teaches an arrangement for storing image data. The arrangement includes “at least one extent defining a dataset position in coordinate space by defining a coordinate position and a size in coordinate directions around the coordinate position”, “at least one element defining a set of data belonging to the picture and having a common extent”, “a plurality of subpictures defining a portion of the picture, each subpicture capable of storing a predetermined maximum amount of data”, and “a plurality of levels arranged in a stacked relationship, each level having a different resolution and a different number of subpictures, wherein a subpicture in a higher level of the plurality of levels is capable of storing a larger predetermined maximum amount of data than a subpicture in a lower level of the plurality of levels.” Applicants submit that Castelli does not teach at least an extent or a plurality of levels arranged in a stacked relationship as recited above. As such, Applicants submit that claims 38 and those dependent therefrom are not taught by Castelli.

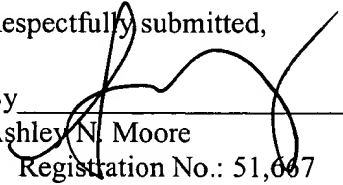
Application No.: 09/835004

Docket No.: 45060-00002USPT

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: March 18, 2004

Respectfully submitted,

By 

Ashley N. Moore

Registration No.: 51,667

JENKENS & GILCHRIST, A PROFESSIONAL  
CORPORATION

1445 Ross Avenue, Suite 3200

Dallas, Texas 75202

(214) 855-4500

(214) 855-4300 (Fax)